IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA STATESVILLE DIVISION DOCKET NO. 5:14CR83-RLV-DCK-1

| UNITED STATES OF AMERICA |) |
|--------------------------|-------------------------------------|
| vs. |)) <u>SCHEDULING ORDER</u>) |
| JEFFREY DEAN TUCKER |)) |
| Defendant. |) |

THIS MATTER is before the Court on an Order of Remand, filed August 26, 2016, from the Fourth Circuit Court of Appeal for re-sentencing.¹

IT IS, THEREFORE, ORDERED that:

The North Carolina Department of Corrections in Lanesboro, N. C. and the United States Marshals Service is hereby ORDERED to transport and produce the body of JEFFREY DEAN TUCKER (USM#: 16327-058), for re-sentencing on March 6, 2017, before the Honorable Richard L. Voorhees, in the Western District of North Carolina, Statesville Courthouse, 200 West Broad Street, 2nd Floor Courtroom, Statesville, North Carolina, not later than March 1, 2017, and upon completion of the re-sentencing hearing, Defendant is to be returned to the custody of the North Carolina Department of Corrections. The Clerk is directed to certify copies of this Order to the United States Attorney, Defendant's Counsel, the United States Marshal Service, and the United States Probation Office.

¹ The Fourth Circuit, vacated the judgment of the district court, and remands this matter to the district court for the limited purpose of resentencing in light of *United States v. Gardner*, 823 F.3d 793 (4th Cir. 2016). The Mandate was entered on

Signed: January 30, 2017

Richard L. Voorhees United States District Judge